(*d*) When any dog taken possession of by the police wears a collar with the apparently genuine address of any person inscribed thereon, a letter stating the fact of such dog having been taken possession of shall be forthwith sent by post to the said address. Provision in case of dog wearing a collar with owner's address

50. Every power conferred by this Chapter on a District Superintendent or officer subordinate to him shall be exercised by him subject to the orders of the Magistrate of the district, and all rules, regulations and orders made by the Magistrate of the district under this Chapter shall be subject to the provisions of section 13 (*2*). Powers under this Chapter to be exercised by District Superintendent subject to control of District Magistrates and by District Magistrates subject to control of Government.

CHAPTER V.

Executive Powers and Duties of the Police.

51. (*1*) Every police-officer shall— Duties of police-officer.

(*a*) promptly obey and execute every warrant or other order lawfully issued to him by competent authority ; and shall by all lawful means endeavour to give effect to the commands of his superior ;

(*b*) to the best of his ability, obtain intelligence concerning the commission of cognizable offences or designs to commit such offences, and lay such information and take such other steps, consistent with law and with the orders of his superiors, as shall be best calculated to bring offenders to justice or to prevent the commission of offences ;

(*c*) to the best of his ability, prevent the commission of public nuisances ;

(*d*) apprehend all persons whom he is legally authorized to apprehend, and for whose apprehension there is sufficient reason ;

(*e*) aid another police-officer when called on by him or in case of need in the discharge of his duty, in such ways as would be lawful and reasonable on the part of the officer aided ;

(*f*) discharge such duties as are imposed upon him by any law relating to revenue or other law at the time in force.

(*2*) Every police-officer may, subject to the rules and orders made by Government or by a person lawfully authorized, enter for any of the said purposes, without a warrant, and inspect any place of public resort and any Power to enter places of public resort.

place which he has reason to believe is used as a drinking-shop, or a shop for the sale of intoxicating drugs or a place of resort of loose and disorderly characters.

Power to search suspected persons in the streets.

(3) When in a street or place of public resort a person has possession or apparent possession of any article which a police-officer in good faith suspects to be stolen property, such police-officer may search for and examine the same and may require an account thereof, and, should the account given by the possessor be manifestly false or suspicious, may detain such article and report the facts to a Magistrate, who shall thereon proceed according to sections 523 and 525 of the [1] Code of Criminal Procedure or other law in force. X of 1882.

Duties of police-officers towards the public.

52. It shall be the duty of every police-officer—

(*a*) to afford every assistance within his power to disabled or helpless persons in the streets, and to take charge of intoxicated persons and of lunatics at large who appear dangerous or incapable of taking care of themselves ;

(*b*) to take prompt measures to procure necessary help for any person under arrest or in custody, who is wounded or sick, and, whilst guarding or conducting any such person, to have due regard to his condition ;

(*c*) to arrange for the proper sustenance and shelter of every person who is under arrest or in custody ;

(*d*) in conducting searches, to refrain from needless rudeness and the causing of unnecessary annoyance ;

(*e*) in dealing with women and children, to act with strict regard to decency and with reasonable gentleness ;

(*f*) to use his best endeavours to prevent any loss or damage by fire ;

(*g*) to use his best endeavours to avert any accident or danger to the public.

Police to regulate traffic, etc., in streets ;

53. (*1*) It shall be the duty of a police-officer—

(*a*) to regulate and control the traffic in the streets, to prevent obstructions therein and, to the best of his ability, to prevent the infraction of any rule or order made under this Act or any other law in force for observance by the public in or near the streets ;

to keep order in the streets and other public places ; and

(*b*) to keep order in the streets and at and within public bathing, washing and landing places, fairs, temples and all other places of public resort and in the neighbourhood of places of public worship during the time of public worship ;

[1] *See* now Act 5 of 1898, General Acts, Vol. V.

(*c*) to regulate resort to public bathing, washing and landing places, to prevent overcrowding thereat and in public ferry-boats and, to the best of his ability, to prevent the infraction of any rule or order lawfully made for observance by the public at any such place or on any such boat. to regulate resort to public places.

(*2*) All persons shall be bound to conform to the reasonable directions of a police-officer given in fulfilment of any of the said duties. Persons bound to conform to reasonable orders of police.

(*3*) A police-officer may restrain or remove any person resisting or refusing or omitting to conform to any such direction as aforesaid, and may either take such person before a Magistrate or, in trivial cases, may release him when the occasion is past. Police officer may restrain or remove contumacious person.

54. Whenever a notification has been duly issued under section 42, or an order has been made under section 43 or 44, it shall be lawful for any Magistrate or police-officer to require any person acting or about to act contrary thereto to desist or to abstain from so doing, and, in case of refusal or disobedience, to arrest the person offending. Such Magistrate or police-officer may also seize any object or thing used or about to be used in contravention of such notification or order as aforesaid, and the thing seized shall be disposed of according to the order of any Magistrate having jurisdiction at the place. Enforcement of orders issued under section 42, 43 or 44.

55. It shall be the duty of the police to see that every regulation and notification made by the Magistrate of the district under section 45, or by the Magistrate of the district or a sub-divisional Magistrate under section 46, is duly obeyed to warn persons who from ignorance fail to obey the same, and to arrest any person who wilfully disobeys the same. Duty of the Police to see orders issued under section 45 or 46 carried out.

56. A police-officer may take charge of any animal falling under the provisions of the [1] Cattle Trespass Act which may be found straying in a street, and may take or send the same to the nearest pound, and the owner and other persons concerned shall thereon become subject to the provisions of the said Act. Police officer may take charge of stray cattle.

I of 1871.

57. The police shall take temporary charge of all unclaimed property found by or made over to them; and shall deliver all such property to the police-patel, if any, of the town or village in which the same was found, and take a receipt therefor from the patel, who shall forward such property to the Duty of police with regard to unclaimed property.

[1] General Acts, Vol. II.

Magistrate to whom such police-pátel is subordinate. If in any such case there be no police-pátel of such town or village, the police shall forthwith report to such Magistrate as the Magistrate of the district shall, from time to time, appoint in this behalf, and act thereafter as the said first-mentioned Magistrate shall direct.

Procedure by Magistrate when property exceeds ten rupees in value.

58. (*1*) If the property regarding which a report is made to a Magistrate under the last preceding section or under section 19 of the [1]Bombay Village Police Act, 1867, appears to such Magistrate to have been left by a person who has died intestate and without known heirs and to be likely, if sold in public auction, to realize more than ten rupees net proceeds, he shall communicate with the District Judge with a view to its being dealt with under the provisions of section 10 of Regulation [2]VIII of 1827 (*a Regulation to provide for the formal recognition of heirs, etc.*) or other law in force.

Bom. Act VIII of 1867.

Bom. Reg. VIII of 1827.

Procedure in other cases.

(*2*) In any other case the Magistrate shall issue a proclamation specifying the articles of which such property consists, and requiring any person who may have a claim thereto to appear before himself or some other officer whom he appoints in this behalf and establish his claim within six months from the date of such proclamation. If no person within such period establishes his claim to such property, it shall be at the disposal of Government, and may be sold in public auction under the orders of the Magistrate.

(*3*) The provisions of section 10 of the Regulation aforesaid shall be deemed not to apply to intestate property which is dealt with by a Magistrate under sub-section (*2*).

Power to sell perishable property at once.

59. If the property regarding which a report is made as aforesaid is subject to speedy and natural decay or consists of live-stock, or appears to be of less value than five rupees, the Magistrate may at once direct it to be sold in public auction, and the provisions of the last preceding section shall, as nearly as may be practicable, apply to the net proceeds of such sale.

A superior police-officer may himself perform duties imposed on his inferior, etc.

60. A police-officer of rank superior to that of constable may perform any duty assigned by law or by a lawful order to any officer subordinate to him; and, in case of any duty imposed on such subordinate, a superior, where it shall appear to him necessary, may aid, supplement, supersede or prevent any action of such subordinate by his own action or that of any person lawfully acting under his command or authority, whenever the same shall appear necessary or expedient for giving more complete or convenient effect to the law or for avoiding an infringement thereof.

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[1]Vol. II of this Code.

[2]Vol. I of this Code.